

Remarks

Claims 1-14, 17-31, and 34-46 are pending. Claims 1-14, 17-31, and 34-46 stand rejected. Claims 1, 17, and 34 are amended. The Applicants respectfully traverse the rejection and request allowance of claims 1-14, 17-31, and 34-46.

Objections

The Examiner objected to the language on page 12, lines 16-17 stating "CLAIMS: We claim:". The Examiner cited 37 CFR § 1.77(b) which provides that one section of a patent application is the "claims" section. The application as pending has a claims section on a separate sheet of paper. The Applicants understand rule 1.77 to provide that the claims themselves should begin on a separate sheet. The heading of "Claims: We Claim" does not have to be on a separate sheet. The Examiner may not like the language the Applicants have included that precedes the claims section, but the language is proper under the statutes and rules. Because the Examiner failed to show how the current language is improper, the Applicants maintain the language as is and ask the Examiner to remove the objections.

§ 102 Claim Rejections

The Examiner rejected claims 1-14 and 17-31 under 35 U.S.C. § 102 as anticipated by U.S. Patent number 6,169,738 (Sriram). The Applicants reviewed Sriram and submit that Sriram does not teach all of the elements of independent claims 1 and 17.

To first address the Examiner's comments on page 4 of the Office action dated 4-15-04, Sriram may teach silence suppression, but there is a difference between calculating a silence suppression gain before admitting a call, and performing silence suppression on an already admitted call. Sriram, and the comments by the Examiner, merely state that Sriram teaches silence suppression on already admitted calls. Claim 1 of the pending application is not attempting to patent the idea of silence suppression. Claim 1 is focused on calculating a silence suppression gain for an incoming call request so that a communication hub can determine whether or not to connect the call to the network (i.e., the communication hub does not want to overload a communication path to the network). Surely the Examiner can see the difference between calculating a silence suppression gain for an incoming call request for the purpose of

call admission, and performing silence suppression on an admitted call. The Applicants respectfully request that the Examiner comment specifically on this issue so that the Examiner's position is clear.

To address the Examiner's comments on pages 13-14 of the Office action, the section in Sriram cited by the Examiner broadly describes a philosophy of call admission. This section in Sriram in no way states that Sriram computes a silence suppression gain for an incoming call and the current calls before admitting the incoming call (*see* claim 1). Sriram uses the words "call admission", "call type", and "silence elimination", but the Examiner failed to show where Sriram teaches computing a silence suppression gain in response to an incoming call request where the silence suppression gain is based on the silence suppression realized for the incoming call and a number of currently active calls (*see* claim 1). The Applicants respectfully request that the Examiner clearly show where Sriram teaches determining a silence suppression gain based on the incoming call and a number of currently active calls before admitting the incoming call.

At the risk of being redundant, the Applicants will again traverse the § 102 rejection provided by the Examiner. Claim 1 describes a communication hub having:

"a silence suppression block configured to compute a silence suppression gain in response to an incoming call request, wherein the silence suppression gain is based on the silence suppression realized for the incoming call and a number of currently active calls", and

"a call admission block configured to control access to a communication network based on the silence suppression gain for the incoming call request".

To paraphrase, the silence suppression block computes a silence suppression gain and the call admission block provides call admission to the network (i.e., controls access to the network) based on the silence suppression gain. Sriram does not teach this.

Sriram describes a call processor (125) that provides call admission to an ATM network (100). (*see* Sriram, FIG. 4). To provide call admission, the call processor first determines an initial bandwidth for calls (B_0) (*see* Sriram, column 8, lines 41-54). The initial bandwidth represents an estimated bandwidth for a call. If the call processor then receives a call, the call processor checks if the spare bandwidth (W) on the facility (106) is greater than the initial bandwidth for a call (*see* Sriram, column 8, line 63 to column 9, line 6). If the spare bandwidth

is not greater than the initial bandwidth, then the call is rejected. Otherwise, the call is admitted. Thus, in *Sriram*, *call admission* in the call processor depends on whether the spare bandwidth on a facility is greater than an estimated bandwidth (i.e., initial bandwidth) for the call. *Sriram* does not teach computing a silence suppression gain to provide call admission.

Call admission in the communication hub of claim 1 of the pending application depends on a *silence suppression gain*. As previously stated, *Sriram* provides call admission based on whether the spare bandwidth on a facility is greater than an estimated bandwidth for a call. The estimated bandwidth for a call as provided in *Sriram* is not a silence suppression gain as provided in the pending application. Thus, *Sriram* does not teach the communication hub in claim 1.

Further, the Examiner, in the Office action on page 4, rejects the silence suppression block of claim 1 based on the teaching in column 6, lines 58 to column 7, line 8 in *Sriram*. The Examiner is mistaken in this rejection. The silence suppression block in claim 1 is for *call admission*. The section in *Sriram* cited by the Examiner describes an AAL2 processor (130) that performs silence suppression on already admitted calls. (see *Sriram*, FIG. 4, column 6, lines 58 to column 7, line 8). Surely the Examiner can see the difference in performing silence suppression on already admitted calls, and computing a silence suppression gain to determine if calls should be admitted.

Also, the Examiner, in the Office action on page 4, rejects the call admission block of claim 1 based on the teaching in column 7, lines 9-22 in *Sriram*. The Examiner is mistaken in this rejection. Again, the call admission block in claim 1 is for *call admission*. The section in *Sriram* cited by the Examiner describes an ATM processor (135) that forms ATM cells from AAL2 packets on already admitted calls. (see *Sriram*, FIG. 4, column 7, lines 9-22). This section does not even mention call admission.

Based on the above remarks, the Applicants submit that claim 1 is novel and non-obvious over *Sriram*. The same arguments apply for independent claim 17, and the claims dependent on claims 1 and 17.

§ 103 Claim Rejections

The Examiner rejected claims 34-46 under 35 U.S.C. § 103 in view of *Sriram*. The Applicants submit that claims 34-46 are novel and non-obvious over *Sriram* for the same reasons presented for claims 1 and 17.

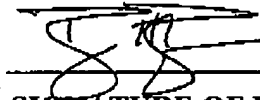
Conclusion

Based on the above remarks, the Applicants submit that claims 1-14, 17-31, and 34-46 are allowable. There may be additional reasons in support of patentability, but such reasons are omitted in the interests of brevity. The Applicants respectfully request allowance of claims 1-14, 17-31, and 34-46.

Any fees may be charged to deposit account 21-0765.

Respectfully submitted,

Date: 7-6-04

**SIGNATURE OF PRACTITIONER**

Brett L. Bornsen, Reg. No. 46,566
Duft Setter Ollila & Bornsen LLC
Telephone: (303) 938-9999 ext. 17
Facsimile: (303) 938-9995

Correspondence address:

CUSTOMER NO. 28004

Attn: Harley R. Ball
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2100
Overland Park, KS 66251-2100